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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION
13

14 FACEBOOK, INC.,

15 Plaintiff,

16 v.

17 POWER VENTURES, INC., a Cayman Island
corporation; STEVE VACHANI, an individual;
18 DOE 1, d/b/a POWER.COM, DOES 2-25,
inclusive,

19 Defendants.
20

Case No. 5:08-cv-05780 JW

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND TIME**

This stipulation is entered into by and between Facebook, Inc., on the one hand, and Defendants Power Ventures, Inc. and Steve Vachani (“Defendants”), on the other hand, through their respective counsel as follows:

WHEREAS, on October 13, 2011, Facebook moved to enlarge time to Oppose Defendants’ pending Motion for Summary Judgment and to file Expert Reports,

WHEREAS, on October 14, 2011, Power produced portions of Power’s source code as identified by Facebook,

WHEREAS, the parties agree that, in light of the October 14, 2011 production of additional source code files, Facebook should receive additional time to review the newly produced files,

NOW THEREFORE, subject to the approval of the Court, it is hereby stipulated and agreed that Facebook’s deadline to file its Opposition to Defendants’ pending Motion for Summary Judgment is extended for twenty-six (26) days, from November 4, 2011, to November 30, 2011, and that the parties’ Expert Report deadline is extended for thirty-one (31) days, from November 18, 2011, to December 19, 2011. Subject to the Court’s approval, the parties stipulate to a shortened Expert Report and Rebuttal Expert Report deadline to retain the current close of discovery deadline. Accordingly, the parties propose the following scheduling amendments, subject to this Court’s approval:

Deadline	Current Schedule	New Case Schedule
Close of all discovery	January 20, 2012	January 20, 2012
Last date for Hearing Dispositive Motions (=60 days after the close of all discovery)	March 19, 2012	March 19, 2012
Preliminary Pretrial Conference (=30 days before the close of all discovery)	N/A Court to set new dates	N/A Court to set new dates
Preliminary Pretrial Conference Statements (Due 10 days before conference)	N/A Court to set new dates	N/A Court to set new dates

1	Expert Reports (=63 days before close of discovery)	November 18, 2011	December 19, 2011
2			*The parties stipulate to a shortened schedule to retain the current close of discovery date
3			
4			
5			
6	Rebuttal Expert Reports (=49 days prior to discovery cutoff)	December 2, 2011	January 3, 2012
7			*The parties stipulate to a shortened schedule to retain the current close of discovery date
8			
9			
10	Last day for Daubert Motions to be heard (42 days after both expert and rebuttal expert disclosures on a Monday (Law and motion day) at 9:00 am	- January 9, 2012	- February 13, 2012
11			
12			
13	Summary Judgment Motion Amendments	Current Schedule	New Schedule
14	Hearing on Power's MSJ	December 12, 2011	At Court's convenience
15			
16	Opp to Power's MSJ	November 4, 2011	November 30, 2011
17	Reply to MSJ	November 11, 2011	December 7, 2011

Dated: October 20, 2011

ORRICK, HERRINGTON & SUTCLIFFE LLP

By: /s/ Monte M.F. Cooper /s/
 MONTE M.F. COOPER
 Attorneys for Plaintiff
 FACEBOOK, INC.

1 Dated: October 20, 2011

BURSOR & FISHER, P.A.

2
3 By: /s/ Timothy Fisher /s/

4 TIMOTHY FISHER
5 Attorneys for Defendants
6 POWER VENTURES, INC.; STEVE
7 VACHANI; and POWER.COM

8 **Filer's Attestation:** Pursuant to General Order No. 45, §X(B), I attest under penalty of
9 perjury that concurrence in the filing of the document has been obtained from its signatory.

10 Dated: October 20, 2011

Respectfully submitted,

11 /s/ Monte Cooper
12 MONTE F. COOPER

13 PURSUANT TO STIPULATION, IT IS SO ORDERED:

14 DATED: _____

15 JAMES WARE
16 United States District Judge